

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In Re UBS AUCTION RATE	:	Master File No. 08-CV-02967
SECURITIES LITIGATION	:	
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This Document Relates To: All Actions	:	
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**MOTION OF STEVEN OPPENHEIMER FOR APPOINTMENT  
AS LEAD PLAINTIFF AND APPROVAL OF SELECTION OF LEAD COUNSEL**

PLEASE TAKE NOTICE that Steven Oppenheimer, a member of the proposed class, upon the Declaration of James Henry Glavin IV, dated May 20, 2008, and the exhibits annexed thereto, the accompanying Memorandum of Law, all of the prior pleadings and proceedings had herein, and such other evidence as the Court may consider at the hearing on this motion, hereby respectfully moves this Court, by his counsel, for an order in the form filed herewith: (1) appointing him as Lead Plaintiff pursuant to the Private Securities Litigation Reform Act of 1995 (the "PSLRA"); and (2) approving his selection of Stull, Stull & Brody and Weiss & Lurie as Lead Counsel.

Dated: May 20, 2008

Respectfully submitted,

**STULL, STULL & BRODY**

By: /s/ James Henry Glavin IV  
Jules Brody (JB-9151)  
Menashe Y. Shapiro (MS-5448)  
James Henry Glavin IV (JG-2188)  
6 East 45<sup>th</sup> Street  
New York, New York 10017  
(212) 687-7230

**WEISS & LURIE**

Jordan L. Lurie  
10940 Wilshire Blvd.  
Suite 2300  
Los Angeles, California 90024  
(310) 208-2800

**Proposed Lead Counsel**

**CERTIFICATE OF SERVICE**

I hereby certify that on May 20, 2008, I filed and served the foregoing document(s) with the Clerk of the Court via ECF in accordance with the Federal Rules of Civil Procedure and the Southern District's Rules on Electronic Service upon all counsel of record, namely:

***Counsel for Plaintiffs:***

Christopher Adam Seeger  
David R. Buchanan  
Stephen A. Weiss  
SEEGER WEISS LLP  
One William Street, 10th Floor  
New York, NY 10004

***Counsel for Consolidated Plaintiffs:***

Eduard Korsinsky  
Joseph E. Levi  
ZIMMERMAN LEVI & KORSINSKY, LLP (NY)  
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New York, NY 10006

***Counsel for Defendants:***

Howard M. Privette  
John S. Durrant  
William F. Sullivan  
PAUL HASTINGS JANOFISKY & WALKER  
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James D. Wareham  
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PAUL, HASTINGS, JANOFISKY & WALKER LLP (NYC)  
75 East 55th Street  
New York, NY 10022

I hereby certify that the foregoing document(s) were served on the following counsel by U.S. Mail on May 20, 2008:

***Counsel for Randolph Bonnist:***

Edith M. Kallas  
MILBERG WEISS BERSHAD & SCHULMAN LLP (NYC)  
One Pennsylvania Plaza  
New York, NY 10119

Joe R. Whatley, JR.  
Joseph Peter Guglielmo  
WHATLEY, DRAKE & KALLAS, LLC  
1540 Broadway  
37th Floor  
New York, NY 10281

Dated: May 20, 2008

s/ James Henry Glavin IV  
James Henry Glavin IV  
Stull, Stull & Brody  
6 East 45<sup>th</sup> Street  
New York, New York 10017

**UNITED STATES DISTRICT COURT  
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**[PROPOSED] ORDER GRANTING THE MOTION OF  
STEVEN OPPENHEIMER FOR APPOINTMENT AS LEAD PLAINTIFF,  
AND APPROVING LEAD PLAINTIFF'S SELECTION OF LEAD COUNSEL**

Having considered the motion(s) and supporting papers filed by the movant(s) for appointment as Lead Plaintiff and approval of selection of Lead Counsel in the above-captioned action, and for good cause shown:

**IT IS HEREBY ORDERED THAT:**

1. The following movant is appointed Lead Plaintiff pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934 ("Exchange Act"), 15 U.S.C. § 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995 ("PSLRA"): Steven Oppenheimer.
2. The law firms of Stull, Stull & Brody and Weiss & Lurie are hereby appointed to serve as Lead Counsel pursuant to Section 21D(a)(3)(B) of the Exchange Act, 15 U.S.C. § 78u-4(a)(3)(B), as amended by the PSLRA.
3. Service by the defendants on plaintiffs of any papers shall be deemed to be complete for all purposes when a copy is served on Lead Counsel.

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2008:

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U.S.D.J.